

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40058 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- MUSAHARI District- Muzaffarpur

ANURAG KUMAR Son of Late Abdhesh Prasad Singh R/o Rohua Rajaram,
P.S.- Mushari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-10-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Mushari P.S Case No.
10 of 2022 registered for the offences punishable under Sections
8, 20(b)(ii)(A) of NDPS Act.

Allegedly, 1kg 100 gram narcotic material suspected
to be ganja was recovered from a bag which was being carried
by this petitioner at the time of recovery and one co-accused
involved in carrying the said contraband managed to escape at
the time of alleged recovery.

The main submissions advanced by learned counsel Shri
Mrityunjay Kumar appearing for the petitioner are that



petitioner has been languishing in jail since 15.1.2022, against him investigation has been completed and alleged seized contraband is slightly more than small quantity. Further submission is that petitioner has got bail in one case of his criminal antecedent.

Smt. Madhuri Lata, learned APP appearing for the State has opposed the prayer for bail.

Having considered the fact that investigation has been completed against the petitioner, alleged recovered contraband suspected to be ganja was found slightly more than small quantity and petitioner has been languishing in jail since 15.1.2022, his case is at initial stage and as per order of the learned court below dated 18.6.2022, petitioner's case is running for framing of the charge, in the opinion of this court, a lenient approach can be taken in respect of the petitioner.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge, Muzaffarpur in Mushari P.S Case No. 10 of 2022 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

s.hassan/-

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